ORIGINAL COPY

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1980

NO. 80-5551

RECEIVED
DEC 1 - 1980
OFFICE OF THE CLERK
SUPREME COURT, U.S.

William E. Conrad

V.

Warren E. Burger, et al

Appendix
ADDENDUM TO JURISDICTIONAL STATEMENT AND BRIEF

William E. Conrad
2856 Dividend Park Dr.
Florissant, Mo. 63031
Pro-se
November 24, 1980

Copy mailed to: Solicitor General, Dept. of Justice, Washington D.C. 1 copy enclosed pursuant to Justice Burgers approval granted in petitioners letter of October 13, 1980.

10

Act of Congress September 24, 1789 ch 20 1 Stat 73 Section 32 was entered complete as Section 954 Revised statute of 1873-1874 became U.S.C. T-28-777, in 1948, U.S.C. T-28-777 62 Stat Repealed, P. 993. See Civ. Proc. R. 1, 15, 61: U.S.C.A. Rev. T. P.44.

Section 34 was entered complete as Section 721 Revised Statutes of 1973-1874 later 62 Stat. P.992 became USC T-28-725, in 1948 USC T-28 1652. USCA Revised Tables P.43.

62 Stat. P.994 does not reveal repeal of Act of September 24,1789 Ch. 20. 1 Stat. 73. Congress has never passed a repeal of Act of September 24,1789 Ch. 20 1 Stat. 73, because the act enunciated and enumerated in statute form Constitutional and Common Law Rights.

REVISED STATUTES (Preface) 1873-74 June 22 1874 Hamilton Fish
"And whereas, by section 1 of an act entitled "An act providing for the authentication of the Revised Statutes of the United States and for preserving the originals of all laws in the Department of State,".. . (Enclosed under USC T 1 112)

Congressional Record January 21,1874 P.823; "Mr. Meyers: While this Codification of the laws is intended in nowise to alter the existing statutes but to gather them together in such a manner that they may be best understood,..." .

Congressional Record January 21, 1874 P. 819-821 In House: Mr. Poland We desire to establish in the first place that this was not a work where there was to be new legislation.

P. 827-828 "Civil Rights"

Congressional Record May 27, 1874 P. 4284-4285
In Senate: Mr. Conkling. The repealing and saving clauses are very careful and very broad, preserving all accrued rights on both sides, preserving penalties where they have accrued, preserving rights and opportunities when they have accrued and providing with I think very thorough carefulness of language that no person and no right shall suffer by any casus omissus or the like which may be found in the work:

Revised Statutes, Title LXXIV (74) Section 5596: "All acts of Congress passed prior to said first day of December one thousand eight hundred and seventh-three, any portion of which is embraced in any section of said revision, are hereby repealed.

Sec. 5597 The repeal of the several acts embraced in said revision, shall not affect any act done, or any right accruing or accrued, - - - but all rights and liabilities under said acts shall continue, and may be enforced in the same manner, as if said repeal had not been made, ---. (Enclosed as legal evidence, under U.S.C. T-1-112, and U.S.C. T-1-111)

Mr. Justice Holmes observed, the Revised Statutes are "not lightly to be read as making a change."
U.S. v Sischo, 262 U.S. 165, 168-169, 1923

Codification, Revision, amending of Act of September 24, 1789, 1 Stat 73 was never intended as repeal , subsequent revisions and amending codification likewise, for the revisionary act enunciated and enumerated constitutional and common law "Rights" in every section,

each congressional intent to codify,, revise, amend contained an exclusionary clause, an exception clause, prohibiting subsequent interpretations by the judiciary to hold the words were to be construed in a repealing context.
(In Law Ow Bew)

Act of Congress March 3, 1891, Ch. 517 5, 6, 26 Stat 827, 828 repealed Revised Statutes 691, and became Sections 128, 238 of the Judicial code.

"In Law Ow Bew v U.S.. 12 S.C. 517, 519, the Words "unless otherwise provided by law" were manifestly inserted out of abundant caution, in order that any qualification of the jurisdiction by contemporaneous or subsequent acts should not be construed as taking it away except when expressly so provided. Intended repeals were intended to be thereby guarded against. To hold that the words referred to prior laws would defeat the purpose of the act, and be inconsistent with its context and its repealing clause."

Act of March 3, 1911 Ch. 231, 36 Stat 1133, 1157, Repealing Provisions 1168, 1169 where as Section 299 "The repeal of existing laws, or Amendments thereof, - - - shall not affect - -, any right accruing or accrued, - -". Section 294, P.1167 "The provisions of this Act, so far as they are substantially the same as existing statutes, shall be construed as continuations thereof, and not as new enactments, and there shall be no implication of a change of intent by reason of a change of words in such statute, unless such change of intent shall be clearly manifest." (State of Maine v Joline Thiloutot, S. Ct. ..... ?, 1980, held;
"Act of March 3, 1911, 36 Stat 1092 #24 (Fourteenth) Yet there is no indication in the legislative history of the 1911 Act that Congress intended to change the scope of federal jurisdiction."

Act of January 28, 1915 Ch.. 22 38 Stat 803,804 amended sections 128, 238 to include First Circuit, Porto Rico added to.. (S.R. No.. 847 63rd Congress 3rd session,. Calender No. 741)

Act of September 14, 1922 Ch. 305 42 Stat 837 Amended Section 238 by adding thereto a new section 238 (a).

Act of February 13, 1925 Ch. 229 43 Stat 936 "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.. That Sections 128, 129, 237,238,239, and 240 of the Judicial Code as now existing be, and they are severly, amended and reenacted to read as follows: Sec 128, infra. Section 238,. infra.

Section 13. P. 941 "That the following Statutes and parts of statutes be, and they are, repealed: Sections 130,131,133,134,181,182,236,241, 242,243,244,245,246,247,248,249,250,251, and 252 of the Judicial Code." "An Act entitled An Act to amend the Judicial Code in reference to appeals and writs of errors," approved September 14, 1922"

Sec. 128 (a) The circuit courts of appeal shall have appellate jurisdiction to review by appeal or writ of error final decision - first. In the district courts, in all cases save where direct review of the decision may be had in the Supreme Court under Section 238." Section 128 became Section 225 under Judicial Code 1925.

Section 238 "A direct review of the Supreme Court of an interlocutory or final judgment or decreee of a district court may be had where it is so provided in the following Acts or parts of Acts, and not otherwise:." Section 238 became Section 345 under Judicial Code 1925.

Sec. 128,238, are not included in the repealing Section 13.

PREFACE

This Code is the official restatement in convenient form of the general and permanent laws of the United States in force December 7, 1925, now scattered in 25 volumes - 1 - e, The Revised Statutes of 1878, and volumes 20 to 43 inclusive, of the Statutes at Large. No new law is enacted and no law repealed. It is prima facie the law. It is presumed to be the law. The presumption is rebuttable by production of prior unrepealed Acts of Congress at variance with the Code. (Act of June 30,1926 44Stat. 777 enclosed)
Scrutiny of this Code is invited. Constructive criticism is solicited. Washington, June 30, 1926 Roy G. Fitzgerald, Chairman.

Section 238 became Section 345 under the Judicial Code of 1925
Section 128 became Section 225 under the Judicial Code of 1925.

Ch 13 Repealing Provisions
Section 442 Judicial Code 1925 T-28-P.913. The repeal by the Judicial Code of laws existing prior to March 3, 1911, or the amendments thereof, embraced in the Judicial Code shall not affect any act done, or any right accruing or accrued,- - -.

H.R. No. 1075 68th Congress 2nd Sess. January 6, 1925 Jurisdiction of the Circuit Courts of Appeals and of the Supreme Court.

THE BILL

It is one prepared by justices of the Supreme Court, not as volunteers, - - -. - - -, which was submitted to all justices and approved by them. (U.S. v First Nat. Bank, 234 U.S. 245, 58 L.ed 1298, 34 S.Ct. 846) "It is not within the province of a Court in the course of construction of a statute, to make or suprevise Legislation."

Is the Act of February 13, 1925 unconstitutional, as the Supreme Court has no revisionary power nor the power of repeal?

Is it the contention of the Supreme Court thru a revision, or amending act is a repealing act, where not clearly stated, and that exception incorporated in an Act of Congress regarding Rights affected, accruing or accrued carry no weight, and are to be disregarded and ignored, or to be omitted in consideration of the Act of Congress?

JURISDICTION OF THE CIRCUIT COURT OF APPEALS

This Court is misled in law, by a House Report submitted by the Sponsor of the bill in the House of Representatives.

Wherein H.R. 1075 Mr. Graham January 6, 1925 P.5 "The new bill abolishes this direct review of the Supreme Court in all these except the four instanses first mentioned and makes them subject to review by writ or error or appeal in the circuit court of appeals, and thence they are only reviewable by certiorari or certificate in the Supreme Court."

P. 7 In addition of these changes in jurisdiction, there are in the proposed bill some remedial amendments of a general character.

P. 8 Verifies, Act of 1891 as the jurisdictional Act exercised.

Are House and Senate Reports Supreme Law of the Land?

Are House and Senate Reports, Acts of Congress, Legislative Law?

Are house and Senate Reports signed by the President of the United States? Is it not a "Right" to have access to the Courts and an impartial tribunal?

Congressional Record-Senate May 2, 1882 P.3503 Mr. Morgan;
If there is one proposition connected with our judicial establishment which is absolutely true it is that we have but one Supreme Court. In that Supreme Court the Constitution says that the judicial power of the United States is lodged. Now, what is the judicial power of the United States? It is all the power to administer justice that belongs to any government, except so far as it is limited by the express qualifications in the Constitution. The judicial power of a State, which is unlimited except by the provisions of the Constitution of the United States, extends to every question of judicial inquiry, whether it is civil or criminal. The judicial power of the United States extends to every question of judicial cognizance, whether civil or criminal, unless an exception is created by some of the other provisions of the Constitution.
It has been argued that the appellate jurisdiction of the United States Supreme Court is given by statute. It seems to me that no proposition could be more fallacious than that; that jurisdiction is given by the Constitution of the United States, subject to regulation and control by statute. We can carve out of that jurisdiction what we please. we can deny to the Supreme Court by an act of Congress the power to exercise appellate jurisdiction in cases where we think it should not exercise appellate jurisdiction, but the power was in the Constitution originally lodged in the courts subject to the modification and control of Congress. That does not destroy the unity of the Supreme Court of the United States, nor does it in the slightest degree impair its supremecy as an appellate tribunial. The Supreme Court of the United States is not to exercise such appellate power only as we may dole it out to the courts, for it has appellate power, but it exercises that power in subordination of the legislative will. That is the true statement of the proposition.

It follows that the intent of,Congress carries no weight unless the statute contains the enforcing words.

Page 3502. After we have enacted laws under the Constitution they pass into the hands of excutive officers of the government for direct application to the people. Before the laws can be administered under our system directly upon or against the people in this country, there must be an intervention of some judicial tribunal;.... . It has, therefore, become an axiomatic principle in our Government, applicable more particularly to ours than any other form of government with which I am acquainted, that justice shall be administered speedily, and without sale, denial, or delay.

In U.S. v Rhodes, Fed. Case No. 16151 P.706,

"Averment and proof could not bring into the case more effectively for any purpose than it is already there." (Cases cited)

I have now presented researched law, that was the Supreme Court's duty, to exercise it's own jurisdiction, and if in doubt, permit this petitioner the Constitutional Right to present by oral argument, testimony to his legal evidence justifying the right to present his case to appellate review.

There is no congressional exception of prohibition that prevents the United States Supreme Court to exercise its supervisory and superintending powers over the inferior courts., as in the present case.

If all appeals to the Supreme Court were without "Right", Then Why enact Act of August 24, 1937 Ch. 754 50 Stat 752; This section shall not be construed to be in derogation of any right of direct appeal to the Supreme Court of the United States under existing provisions of law. ?

Is it the contention of this court; where Congress cannot repeal accruring and accrued rights, that the Supreme Court has repealing power, or Judicial Power to omit, or ignore Constitutional Rights and Common Law Rights?

Act of January 31, 1928 Ch. 14 45 Stat. 54 (Repealed)

Act of April 26, 1928 Ch.440 45 Stat. 466
Section 2:"The Statutes regulating the right to a writ of error, ... defining relief which may be had thereon, and prescribing the mode of exercising that right and invoking such relief, including the provision relating to costs, supercedeas, and mandate, shall be applicable to the appeal which the proceding section substitutes for a writ of error.",

became USC T 18 681 and USC T 28 861a,b, USCA Tables P.245,248, Statutes at Large P.516, Revised Titles P.340, USCA P.44, 62 Stat. P. 1001, USC T 28 861a,(Repealed) USC T 28 861b (Never Repealed)

Act of June 25, 1948 62 Stat. 990;
Section 23 Section 2 of the Act approved January 31,1928 (Ch.14, 45 Stat.54) as amended, is amended to read as follows: Sec. 2 "All Acts of Congress referring to writs of error shall be construed as amended to the extent necessary to substitute appeal for writ of error."
(70th Congress 1st Sess. H.R. 1071)

Is it this Courts contention that Section 23 Sec.2 is a repealing statute, wherein the act of April 26, 1928 is repealed, or authority for the codifier to omit an act of Congress passed and signed into Law?

Is it this Courts contention it has Judicial Authority, or Judicial Power to omit or ignore "shall be construed as amended to the extent necessary to substitute appeal for writ of error"?

I demand a Bill of Particulars on what is REPEALED?

Act of June 25, 1948 Ch. 646 62 Stat. 869 "2b; The provisions of title 28, Judiciary and Judicial Procedure, of the United States Code, set out in section 1 of this Act, with respect to the organization of each of the several courts therein provided for and of the Administrative Offices of the United States Courts, shall be construed as continuations of existing laws,... ." "No loss of rights, interuption of jurisdiction, or prejudice to matters pending in any of such courts on the effective date of this Act shall result from its enactment."

Section 39. The section or parts therof of the Revised Statutes of the District of Columbia, Revised Statutes of the United States or Statutes at Large enumerated in the following schedule are hereby repealed. Any rights or liabilities now existing under such sections or parts therof shall not be affected by this repeal.
(See United States Code Title 28 Judiciary and Judicial Procedure P.1 Legislative Construction, Repeals, Rights and Liabilities Saved, Title 28 as Continuation of Existing Law; change of Name of Circuit Courts of Appeals.)

Are the words "No loss of rights, interuption of jurisdiction ..shall result from.. enactment" hollow, do they not carry weight, are they not limiting, prohibiting judicial power, but maintaining access to the courts jurisdiction. Is it not true, Congress has not repealed Writ of Error, as a Writ of Right, only the nomenclature of the statute?

Revised Statutes
1873-1874

UNITED STATES OF AMERICA,
DEPARTMENT OF STATE.

Whereas, by section 2 of an act entitled "An act providing for publication of the Revised Statutes and the laws of the United States," approved June 20, 1874, it is provided as follows, viz:

"SEC. 2. That the Secretary of State is hereby charged with the duty of causing to be prepared for printing, publication, and distribution, the Revised Statutes of the United States enacted at this present session of Congress; that he shall cause to be completed the head-notes of the several titles and chapters, and the marginal notes referring to the statutes from which each section was compiled and repealed by said revision, and references to the decisions of the courts of the United States explaining or expounding the same, and such decisions of State courts as he may deem expedient, with a full and complete index to the same. And when the same shall be completed, the said Secretary shall duly certify the same under the seal of the United States, and when printed and promulgated as hereinafter provided, the printed volumes shall be legal evidence of the laws and treaties therein contained, in all the courts of the United States, and of the several States and Territories."

And whereas, by section 1 of an act entitled "An act providing for the authentication of the Revised Statutes of the United States and for preserving the originals of all laws in the Department of State," it is provided, "That the certificate to the printed volume of the Revised Statutes of the United States required by said section 2 of the act of June 20, 1874, shall be made by the Secretary of State under the seal of the Department of State."

Now, therefore, I, HAMILTON FISH, Secretary of State, do hereby certify that the following are the "Revised Statutes of the United States" as enacted by Congress on the 22d day of June, 1874, prepared, printed, and published according to the provisions of the said first-mentioned act of June 20, 1874.

In witness whereof, I have hereunto subscribed my name and caused the seal of the Department of State to be affixed.

Done at the city of Washington this twenty-second day of February, A. D. 1875, and of the Independence of the United States of America the ninety-ninth.

HAMILTON FISH.

Revised Statutes 1873

Blacks 4th
Reserve: vt. To retain, or
Hold over To a future Time
Comm. Int. Rev. v 5 Treas 4th
124 F 2d. 360, 363

TITLE LXXIV.

REPEAL PROVISIONS.

Sec.
5595. What Revised Statutes embrace.
5596. Repeal of acts embraced in revision.
5597. Accrued rights reserved.
5598. Prosecutions and punishments.
5599. Acts of limitation.
5600. Arrangement and classification of sections.
5601. Acts passed since December 1, 1873, not affected.

What Revised Statutes embrace.

SEC. 5595. The foregoing seventy-three titles embrace the statutes of the United States general and permanent in their nature, in force on the 1st day of December one thousand eight hundred and seventy-three, as revised and consolidated by commissioners appointed under an act of Congress, and the same shall be designated and cited, as The Revised Statutes of the United States.

Repeal of acts embraced in revision.

SEC. 5596. All acts of Congress passed prior to said first day of December one thousand eight hundred and seventy-three, any portion of which is embraced in any section of said revision, are hereby repealed, and the section applicable thereto shall be in force in lieu thereof; all parts of such acts not contained in such revision, having been repealed or superseded by subsequent acts, or not being general and permanent in their nature: *Provided*, That the incorporation into said revision of any general and permanent provision, taken from an act making appropriations, or from an act containing other provisions of a private, local, or temporary character, shall not repeal, or in any way affect any appropriation, or any provision of a private, local or temporary character, contained in any of said acts, but the same shall remain in force; and all acts of Congress passed prior to said last-named day no part of which are embraced in said revision, shall not be affected or changed by its enactment.

Blacks Law Dict 5th ed
Reserved:
Retained, kept set apart,
for a purpose or a person

Accrued: vested,
Accrued Right: a matured
Cause of Action, A legal author-
To demand Redress:

Accrued rights reserved.

Moseley v Hoar
174 Okl. 2,
49 P 2d. 546, 548

SEC. 5597. The repeal of the several acts embraced in said revision, shall not affect any act done, or any right accruing or accrued, or any suit or proceeding had or commenced in any civil cause before the said repeal, but all rights and liabilities under said acts shall continue, and may be enforced in the same manner, as if said repeal had not been made; nor shall said repeal, in any manner affect the right to any office, or change the term or tenure thereof.

Prosecutions and punishments.

SEC. 5598. All offenses committed, and all penalties or forfeitures incurred under any statute embraced in said revision prior to said repeal, may be prosecuted and punished in the same manner and with the same effect, as if said repeal had not been made.

Acts of limitation.

SEC. 5599. All acts of limitation, whether applicable to civil causes and proceedings, or to the prosecution of offenses, or for the recovery of penalties or forfeitures, embraced in said revision and covered by said repeal, shall not be affected thereby, but all suits, proceedings or prosecutions, whether civil or criminal, for causes arising, or acts done or committed prior to said repeal, may be commenced and prosecuted within the same time as if said repeal had not been made.

Arrangement and classification of sections.

SEC. 5600. The arrangement and classification of the several sections of the revision have been made for the purpose of a more convenient and orderly arrangement of the same, and therefore no inference or presumption of a legislative construction is to be drawn by reason of the Title, under which any particular section is placed.

Sec 5601 The enactment of the said revision is not to affect or repeal
as act of Congress passed since the 1st day of December one thousand eight
hundred and seventy three, and all acts passed since that date are to
have full effect as if passed after the enactment of this revision, and so
far as such acts may from a conflict with any provision
contained in said revision, they are to have effect as subsequent
statutes, and as repealing any portion of the revision inconsistent therewith.
Approved June 22, 1874

PREFACE

This Code is the official restatement in convenient form of the general and permanent laws of the United States in force December 7, 1925, now scattered in 25 volumes—i. e., the Revised Statutes of 1878, and volumes 20 to 43, inclusive, of the Statutes at Large. No new law is enacted and no law repealed. It is prima facie the law. It is presumed to be the law. The presumption is rebuttable by production of prior unrepealed Acts of Congress at variance with the Code. Because of such possibility of error in the Code and of appeal to the Revised Statutes and Statutes at Large, a table of statutes repealed prior to December 7, 1925, will be published in the permanent edition together with the Articles of Confederation; The Declaration of Independence; Ordinance of 1787; the Constitution with amendments and index; tables of cross references to the Revised Statutes, the Statutes at Large, the United States Compiled Statutes, Annotated, of the West Publishing Co., and the Federal Statutes, Annotated, of the Edward Thompson Co.; an appendix with the general and permanent laws of the first session of the Sixty-ninth Congress; and finally an exhaustive index of the laws in the Code and appendix.

The first official codification of the general and permanent laws of the United States was made in 1874 and followed by a perfected edition in 1878. From 1897 to 1907 a commission was engaged in an effort to codify the great mass of accumulating legislation. The work of the commission involved an expenditure of over $300,000, but was never carried to completion. More recently the task of codification was undertaken by the late Hon. Edward C. Little as chairman of the Committee on the Revision of the Laws of the House of Representatives, who labored indefatigably from 1919 to the day of his death, June 24, 1924. The volumes which represented the result of his labors were embodied in bills which passed the House of Representatives in three successive Congresses unanimously but failed of action in the Senate.

The Code now set forth has resulted from the hearty cooperation of the Committee of the House of Representatives on the Revision of the Laws, and the Select Committee of the United States Senate consisting of Richard P. Ernst, chairman, George Wharton Pepper, and William Cabell Bruce. Under the auspices of the committees of the House and the Senate the actual work of assembling and classifying the mass of material has been done by the West Publishing Co. and the Edward Thompson Co. These two houses have subordinated their private interests to the public good and have produced a result which would have been impossible without them. Acknowledgment of valuable assistance is given to W. H. McClenon, of the Legislative Reference Division of the Library of Congress, and to the law officers and other representatives of the several departments, bureaus, and commissions of the Government. Appreciation is also expressed of the interest in the work taken by the Committee on the Revision of the Federal Statutes of the American Bar Association.

Scrutiny of this Code is invited. Constructive criticism is solicited. It is the ambition of the Committee on the Revision of the Laws of the House of Representatives gradually to perfect the Code by correcting errors, eliminating obsolete matter, and restating the law with logical completeness and with precision, brevity, and uniformity of expression.

Address criticisms to Chairman of the Committee on the Revision of the Laws of the House of Representatives, Washington, D. C.

WASHINGTON, *June 30, 1926.*

ROY G. FITZGERALD, *Chairman.*

JUNE 30, 1926
[H. R. 10000]
[PUBLIC, No. 440]
Chapter 712

THE CODE OF THE LAWS

OF THE

UNITED STATES OF AMERICA

OF A GENERAL AND PERMANENT CHARACTER IN FORCE DECEMBER SEVENTH, NINETEEN HUNDRED AND TWENTY-FIVE, CONSOLIDATED, CODIFIED, SET FORTH, AND PUBLISHED IN NINETEEN HUNDRED AND TWENTY-SIX, IN THE ONE HUNDRED AND FIFTIETH YEAR OF THE REPUBLIC, AT ITS FIRST SESSION, BY THE

SIXTY-NINTH CONGRESS

AN ACT

To consolidate, codify, and set forth the general and permanent laws of the United States in force December seventh, one thousand nine hundred and twenty-five

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fifty titles hereinafter set forth are intended to embrace the laws of the United States, general and permanent in their nature, in force on the 7th day of December, 1925, compiled into a single volume under the authority of Congress, and designated "The Code of the Laws of the United States of America."

SEC. 2. In all courts, tribunals, and public offices of the United States, at home or abroad, of the District of Columbia, and of each State, Territory, or insular possession of the United States—

(a) The matter set forth in the Code, evidenced as hereinafter in this section provided, shall establish prima facie the laws of the United States, general and permanent in their nature, in force on the 7th day of December, 1925; but nothing in this Act shall be construed as repealing or amending any such law, or as enacting as new law any matter contained in the Code. In case of any inconsistency arising through omission or otherwise between the provisions of any section of this Code and the corresponding portion of legislation heretofore enacted effect shall be given for all purposes whatsoever to such enactments.

(b) Copies of this Act printed at the Government Printing Office and bearing its imprint shall be conclusive evidence of the original of the Code in the custody of the Secretary of State.

(c) The Code may be cited as "U. S. C."

THE CODE OF THE LAWS OF THE UNITED STATES OF AMERICA

TITLE 1.—GENERAL PROVISIONS

Chapter	Sec.
1. RULES OF CONSTRUCTION	1
2. ACTS AND RESOLUTIONS OF THE CONGRESS; FORMALITIES OF ENACTMENT; REPEALS; SEALING OF INSTRUMENTS	21

Chapter 1.—RULES OF CONSTRUCTION.

Sec.
1. Words importing singular number, masculine gender, etc.; extended application.
2. "County" as including "parish," etc.
3. "Vessel" as including all means of water transportation.
4. "Vehicle" as including all means of land transportation.
5. "Company" and "association" as including successors and assigns.

Section 1. **Words importing singular number, masculine gender, etc.; extended application.**—In determining the meaning of any Act or resolution of Congress, words importing the singular number may extend and be applied to several persons or things; words importing the plural number may include the singular; words importing the masculine gender may be applied to females; the words "insane person" and "lunatic" shall include every idiot, non compos, lunatic, and insane person; the word "person" may extend and be applied to partnerships and corporations, and the reference to any officer shall include any person authorized by law to perform the duties of such office, unless the context shows that such words were intended to be used in a more limited sense; and a requirement of an "oath" shall be deemed complied with by making affirmation in judicial form. (R. S. § 1.)

2. **"County" as including "parish," etc.**—The word "county" includes a parish, or any other equivalent subdivision of a State or Territory of the United States. (R. S. § 2.)

3. **"Vessel" as including all means of water transportation.**—The word "vessel" includes every description of water craft or other artificial contrivance used, or capable of being used, as a means of transportation on water. (R. S. § 3.)

4. **"Vehicle" as including all means of land transportation.**—The word "vehicle" includes every description of carriage or other artificial contrivance used, or capable of being used, as a means of transportation on land. (R. S. § 4.)

5. **"Company" and "association" as including successors and assigns.**—The word "company" or "association," when used in reference to a corporation, shall be deemed to embrace the words "successors and assigns of such company or association," in like manner as if these last-named words, or words of similar import, were expressed. (R. S. § 5.)

THE CODE OF LAWS

OF THE

UNITED STATES OF AMERICA

OF A GENERAL AND PERMANENT CHARACTER IN FORCE JANUARY TWENTIETH, NINETEEN HUNDRED AND SEVENTY-SEVEN

1976 EDITION

CONSOLIDATED, CODIFIED, SET FORTH, AND PUBLISHED IN NINETEEN HUNDRED AND SEVENTY-SEVEN, IN THE TWO HUNDRED AND FIRST YEAR OF THE REPUBLIC, UNDER THE SUPERVISION OF THE OFFICE OF THE LAW REVISION COUNSEL OF THE HOUSE OF REPRESENTATIVES, PURSUANT TO THE DUTY AND AUTHORITY IMPOSED UPON IT BY SECTION TWO HUNDRED AND EIGHTY-FIVE-B OF TITLE TWO

THE CODE OF THE LAWS OF THE UNITED STATES OF AMERICA, 1925 EDITION

JUNE 30, 1926
[H. R. 10000]
[PUBLIC, No. 440]
Chapter 712

AN ACT To consolidate, codify, and set forth the general and permanent laws of the United States in force December seventh, one thousand nine hundred and twenty-five

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fifty titles hereinafter set forth are intended to embrace the laws of the United States, general and permanent in their nature, in force on the 7th day of December, 1925, compiled into a single volume under the authority of Congress, and designated "The Code of the Laws of the United States of America."

SEC. 2. In all courts, tribunals, and public offices of the United States, at home or abroad, of the District of Columbia, and of each State, Territory, or insular possession of the United States—

(a) The matter set forth in the Code, evidenced as hereinafter in this section provided, shall establish prima facie[1] the laws of the United States, general and permanent in their nature, in force on the 7th day of December, 1925; but nothing in this Act shall be construed as repealing or amending any such law, or as enacting as new law any matter contained in the Code. In case of any inconsistency arising through omission or otherwise between the provisions of any section of this Code and the corresponding portion of legislation heretofore enacted effect shall be given for all purposes whatsoever to such enactments.

(b) Copies of this Act printed at the Government Printing Office and bearing its imprint shall be conclusive evidence of the original of the Code in the custody of the Secretary of State.

(c) The Code may be cited as "U.S.C."

[1]See section 204 (a) of Title 1 regarding titles that are legal evidence of the law.